

**Minutes — Design Review Board**  
**Thursday, February 10, 2022 at 4:00 P.M. — Remote Meeting (via Zoom)**

*Under the Board's Remote Participation Policy, the February 10, 2022 meeting was conducted via Zoom due to the urgent issue of the continuing COVID-19 pandemic and the declarations of a public health emergency by both the US and Maine departments of Health & Human Services.*

*Members of the public were able to view the proceeding by visiting <https://www.townhallstreams.com> and selecting **Bar Harbor** from the dropdown menu. Instructions on how to attend the Zoom meeting and to offer comment during the public comment portion of the February 10, 2022 meeting were posted online in advance of the meeting at: <https://www.barharbormaine.gov/271/Design-Review-Board>.*

---

*Chairperson Barbara Sassaman, Vice-chairperson Andrew Geel, Secretary Pete Bono and member Maya Caines were present. Member Pancho Cole was absent, and Member Andrea Lepcio joined the meeting after it had started. The seventh seat on the Board is presently vacant.*

*Town staff present were Code Enforcement Officer Angela Chamberlain, Assistant Planner Steve Fuller and Administrative Assistant Tammy DesJardin.*

**I. CALL TO ORDER**

*Chairman Sassaman called the meeting to order at 4:00 PM.*

**II. EXCUSED ABSENCES**

*Chairman Sassaman noted that Mr. Cole had notified the Board in advance of the meeting that he would not be able to attend the meeting.*

**III. ADOPTION OF AGENDA**

*Vice-chairperson Geel moved to adopt the agenda, and Secretary Bono seconded. On a roll-call vote, the motion carried unanimously, 4-0.*

**IV. APPROVAL OF MINUTES**

- i. December 9, 2021
- ii. December 16, 2021

*Assistant Planner Fuller noted that neither set of minutes was yet available for Board review.*

**V. PUBLIC COMMENT**

**To make comment, please email [designreview@barharbormaine.gov](mailto:designreview@barharbormaine.gov) (goes to all board members and town staff), or attend meeting via Zoom (see above)**

*There were no members of the public present in the meeting, and no emails were received prior to the meeting.*

**VI. BUILDING PERMIT REMINDERS**

*Chairman Sassaman reminded the applicants present they would need to obtain building permits for any work approved by the Board (via a Certificate of Appropriateness) at that meeting.*

## VII. REGULAR BUSINESS

### i. Certificate of Appropriateness

**Application:** DRB-2022-01 (Ferry terminal signage)  
**Owner:** Town of Bar Harbor  
**Applicant:** Atlantic Fleet Services  
**Project Location:** 121 Eden Street (231-004-000)  
**Proposed Project:** New signage (addition of 3 signs for ferry operations)

*Annette Higgins was present on behalf of the applicant, Atlantic Ferry Services. She gave an explanation of what was proposed in the application. She noted there is other signage, via the Department of Transportation, that will be placed on Route 3 so that travelers know how to get to the ferry terminal. She outlined the three specific signs proposed for the ferry terminal site.*

*Ms. Higgins responded to questions from the Board. Secretary Bono asked about different color schemes that appeared to have been presented in the application. Ms. Higgins responded, and outlined the correct color scheme for each sign. She said it was an issue with printing and scanning. She said the blue color is designed to match the trim on the building, and explained what Bay Ferries (the ferry operator) has for a corporate color scheme. Discussion continued. Mention was also made of a large fire taking place at the Bluenose Inn that afternoon.*

*There was discussion of placement of signs, and confusion over various ferry/boating services. Assistant Planner Fuller noted the ferry is the only tenant of the town-owned property at present, and that if/when an additional tenant comes in in the future a multi-tenant signage plan would need to be developed and approved. It was also noted at this time that Ms. Lepcio had joined the meeting. She said she did not have any questions on this particular application.*

*Vice-chairperson Geel moved to approve the application as submitted, and Secretary Bono seconded. The motion then carried unanimously (5-0) as presented, on a roll-call vote.*

*Chairperson Sassaman asked if the signs would be up year-round. Ms. Higgins said they would be. She said it was possible one sign might be covered during the winter; Chairperson Sassaman asked her to consider using a canvas covering that could have a message on it (versus blue tarp).*

### ii. Certificate of Appropriateness

**Application:** DRB-2022-02 (Lompoc windows and doors)  
**Owner:** James Pike  
**Applicant:** Meagan Kelly  
**Project Location:** 36 Rodick Street (104-393-000)  
**Proposed Project:** Changes to exterior appearance of non-historic building (adding French doors and three sets of windows)

*James Pike was present as the owner, on behalf of the applicant. Board members said additional materials submitted after the initial application had helped to clarify what was being proposed. Secretary Bono asked about the nature of windows, both present and proposed. He complimented the double-hung windows and the color choice. There were no other questions.*

*Secretary Bono moved to approve the application as submitted, and Vice-chairperson Geel seconded. The motion then carried unanimously (5-0) on a roll-call vote.*

## VIII: OTHER BUSINESS

### i. Discussion of boundaries of Design Review Board overlay district

*Assistant Planner Fuller gave an overview of the overlay district discussion. He reviewed materials that he had sent out to the Board. Chairperson Sassaman noted the Board had also asked to see one or more maps showing what had changed between the existing overlay district as it stands today and the proposed changes being looked at by the Board (what was being added, what was coming out, what was staying the same). Assistant Planner Fuller said he needed clarification, particularly with regard to Hulls Cove. He elaborated on his question.*

*Secretary Bono, who lives in Hulls Cove, said it was important to protect the aesthetic of the visible corridor in Hulls Cove, particularly in the developed area closest to the water. Chairperson Sassaman said properties on Lookout Point/Syndicate Road did not need to be in the overlay district, because they cannot be seen from the heavily traveled Route 3. She said the properties on Route 3 were important, however. Discussion followed on the subject. Assistant Planner Fuller said his question was how the Board felt about the extent of expansion of the overlay district along Route 3. There seemed to be consensus around Sand Point Road as a northern terminus. There was discussion about bed and breakfasts; Assistant Planner Fuller noted they are already included in the overlay district (regardless of location within the town) along with several levels of transient accommodations. Chairperson Sassaman said the map being done up to show changes should also show where signage review will remain in place, if possible. There was agreement that anything on Route 3 in Hulls Cove should be subject to façade review, too.*

*Chairperson Sassaman said not much was changing in Town Hill, from the looks of things. There was discussion of how deep the existing Design Review Board overlay for façade review went in Town Hill, versus what was proposed in the most recent slate of suggested changes (500 feet versus 350 feet, as people participating in the discussion offered). Assistant Planner Fuller said yes, Town Hill would largely remain the same as it is right now. There was discussion about where the façade review would stretch to and from, with a change from having it tied to zoning districts and instead having it tied to street intersections. Assistant Planner Fuller noted one large parcel on the northern end of the Town Hill stretch that would newly be pulled in to the façade review overlay under that new proposal.*

*Attention turned to the Downtown/Village area. Assistant Planner Fuller said he understood the Board has a desire to have façade review on Eden Street and all of Mount Desert Street (as opposed to only part of the latter, at present). There was discussion about how the Shoreland Limited Residential District affects some properties along West Street (with regard to inclusion or not in the DRB's façade overlay). Ms. Caines asked about properties along Ledgelawn Avenue. Chairperson Sassaman asked about what business uses are allowed there. Code Enforcement Officer Chamberlain explained that although it is in the Downtown Residential zoning district, there are some business/non-residential uses allowed. Vice-chairperson Geel said there was a lot of commercial activity happening on Ledgelawn. Chairperson Sassaman asked what streets were most important for "keeping our town looking like our town."*

*Assistant Planner Fuller asked about some properties between Park Street and Cromwell Harbor Road. Board members agreed that Cromwell Harbor Road felt like a clear point where*

*one enters or leaves the village area. Assistant Planner Fuller noted the sign for the Village area is actually located at Cromwell Brook, which is a little closer to downtown than the road itself.*

*Assistant Planner Fuller asked about public outreach for any proposed change to the Design Review Board overlay district. He referenced a previous effort to change the map, where the Planning Board felt there hadn't been adequate effort, and said he did not want to see a repeat. Chairperson Sassaman said Salisbury Cove was one of the places people objected to the most (now removed from the proposal), and that another was the Bar Harbor Gateway district (also removed from the current proposal). There was additional discussion about proper timing. Assistant Planner Fuller noted the proposed change called for big changes (additions to the façade review overlay) in Hulls Cove. Board members expressed support for outreach efforts. Secretary Bono recalled that during previous attempts to change the overlay map, any attempt to change the status quo was seen by the Planning Board as overreach by the Design Review Board. Chairperson Sassaman agreed and said the Planning Board if anything favored reducing the DRB's area of jurisdiction. Both she and Secretary Bono pointed out the Comprehensive Plan called for greater DRB jurisdiction, by contrast.*

*Chairperson Sassaman said her perspective was that enlarging the DRB overlay for facades into Hulls Cove was designed to protect residences from any commercial development that might be proposed there (protect meaning to ensure good design principles are followed). Board members stressed that it should be made clear single- and two-family residences are not subject to Design Review Board review for facades. Secretary Bono said the expansion was in response to the commercial reach (growth) in transient accommodations/lodging businesses. Ms. Caines said she thought it was important to expand the overlay to "safeguard the local community." Vice-chairperson Geel agreed with Secretary Bono about expanding the overlay in order to keep up with the times. Ms. Lepcio said she also supported this effort, accompanied by good outreach.*

*Code Enforcement Officer Chamberlain reflected on a review of minutes from earlier meetings when there were efforts to expand the DRB overlay area. She said people, and not just Planning Board members, have a perception of going through the Design Review process as having to navigate red tape (adding time to the review process, etc.). She said it was important to keep balance in mind. There was further discussion on this subject. Assistant Planner Fuller recapped on what some next steps in this process could be.*

## **IX. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA**

*Chairperson Sassaman asked if there were updated Land Use Ordinance pages, incorporating some of the changes that were approved at the ballot box in November. Administrative Assistant Tammy DesJardin responded and said she had ordered new pages and would let Board members know when these new pages came in. Assistant Planner Fuller noted these updates were important for the Design Review Board in particular because they included changes to signage.*

*Chairperson Sassaman asked about Appendix B, and said she thought it had been removed from the Land Use Ordinance (it still shows up online, and in paper copies). Assistant Planner Fuller commented, and said it appears to have last been updated in 2018. Chairperson Sassaman said there were three references in the LUO, too (those should be removed if Appendix B is removed).*

Chairperson Sassaman said she had taken all parts of the Land Use Ordinance having to do with DRB and put it in a binder (a more consolidated format that would allow for easier reference). She said she had also highlighted some potential changes while reviewing this material. Chairperson Sassaman said she would like to eventually re-write Article 13 in the Land Use Ordinance in order to make it easier to use for both Board members and applicants. Planning Director Michele Gagnon had joined the workshop by that point and summarized what she had heard Chairperson Sassaman say. Chairperson Sassaman commented that something like 125-67 BB., Signage, would be "duplicated" in Article 13 (so that it would all be in one place). Discussion continued. Chairperson Sassaman noted this would mean double updating, at times, to make sure the sections were updated in both parts of the ordinance.

Assistant Planner Fuller said he gets nervous when he hears the word "duplication" with regard to the Land Use Ordinance because "it's hard enough to keep track of things when they're only in the ordinance once." He wondered if a Design Review Board handbook for members, specifically, might serve the same purpose with less work involved. It could pull the pertinent sections from the LUO and put them all in one place, which he understood to be the intent of this effort. Chairperson Sassaman asked what would happen if things like lighting, signage and fences were moved from other sections of the LUO into Article 13 (Design Review), and that those sections could then be referenced elsewhere. Planning Director Gagnon recounted a recent experience where changing just one word in the LUO proved to have repercussions beyond what anyone initially imagined. She referenced Assistant Planner Fuller's member handbook idea. Assistant Planner Fuller said he understood the frustration that comes at times from navigating the Land Use Ordinance.

Planning Director Gagnon asked if the ordinance was broken. Chairperson Sassaman said yes. Vice-chairperson Geel said a handbook could be helpful. He understood the Land Use Ordinance is something like a spider web in its complexity. Ms. Caines spoke about the challenge of trying to follow the ordinance's requirements coming in as a new member. All involved offered a few final thoughts before discussion on the subject concluded.

**X. ADJOURNMENT**

At 5:27 PM, Chairperson Sassaman moved to adjourn the meeting and Vice-chairperson Geel seconded the motion, which then carried unanimously (5-0) on a roll-call vote.

Signed as approved: (approved 7/14/2022)

  
Peter Bono, Secretary, Bar Harbor Design Review Board

  
Date